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97

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/735,416	12/12/2003	Wynne J. Whyman	8601/3(a)	2145
7590	05/31/2006		EXAMINER	
Thomas S. Birney, Esq. Dorr, Carson, Sloan, Birney & Kramer, P.C. 3010 East 6th Avenue Denver, CO 80206			BELL, CORY C	
			ART UNIT	PAPER NUMBER
			2164	

DATE MAILED: 05/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/735,416	WHYMAN, WYNNE J.
	Examiner	Art Unit
	Cory C. Bell	2164

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on _____.
 2a) This action is **FINAL**. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-24 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
 5) Claim(s) ____ is/are allowed.
 6) Claim(s) 1-24 is/are rejected.
 7) Claim(s) ____ is/are objected to.
 8) Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on ____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.



SAM RIMELL
PRIMARY EXAMINER

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-24 have been examined.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
3. **Claims 3 and 18** are rejected under 35 USC 112 2nd paragraph, because the relationship between “inventory items” and “items” in claims 2 and 17 is unclear.
4. The following is a quotation of the fourth paragraph of 35 U.S.C. 112:

Subject to the following paragraph, a claim in dependent form shall contain a reference to a claim previously set forth and then specify a further limitation of the subject matter claimed. A claim in dependent form shall be construed to incorporate by reference all the limitations of the claim to which it refers.
5. **Claims 2-14 and 16-24** are rejected under 35 USC 112 4th paragraph as these claims contain only non-functional descriptive material, which is non-limiting and thus do not further limit the independent claim. See MPEP 2106 IV B 1 “Nonfunctional descriptive material” includes but is not limited to music, literary works and a compilation or mere arrangement of data.’

Claim Rejections - 35 USC § 101

6. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

7. **Claims 1-24** are rejected under 35 USC 101 as the claims are directed towards a compilation and mere arrangement of data and are thus non-statutory. See MPEP 2106 IV B 1 “Nonfunctional descriptive material” includes but is not limited to music, literary works and a compilation or mere arrangement of data.’ The claims do not provide any manipulation of the data, nor do they provide a useful, concrete, and tangible result, as they pertain to a mere database schema.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

9. Claims 1-24 are rejected under 35 U.S.C. 102(a) as being anticipated by “Development of GIS as an Information Management System: A Case Study for the Burden Center” August 2003 by Zhitao Su.

10. **Claim 1** is rejected for the following reasons:

1. A database system for storing and retrieving data for managing an outdoor property, said database system comprising: at least one property description table containing data relating to an outdoor property{Pg 51 whole database}; at least one site table containing data relating to a plurality of sites within the property{Pg 51 “facilities” or “land use”}; and at least one entity

table containing data relating to entities within sites in the site table. {Pg 51 “BLDG”

“Landmark” “HistoricalSite” or any tables under LandUse}

11. **Claim 2** is rejected for the following reasons:

2. The database system of claim 1 further comprising an inventory table containing data relating to inventories of items associated with the property. {Pg 35 and Pg 51-52 “Vegetation” “BLDG”

12. **Claim 3** is rejected for the following reasons:

3. The database system of claim 2 further comprising an inventory maintenance table containing data relating to maintenance of inventory items. {Pg 53 “FutureDevelp” “Renovate as market” shows maintenance of Buldings}

13. **Claim 4** is rejected for the following reasons:

4. The database system of claim 1 further comprising a property survey table containing data relating to surveys of the property. {Page 51 “Geology”}

14. **Claim 5** is rejected for the following reasons:

5. The database system of claim 1 further comprising a property long-range plan table containing data relating to long-range plans for the property. {pg 53 “FutureDevelop”}

15. **Claim 6** is rejected for the following reasons:

6. The database system of claim 1 further comprising a staff table containing data relating to staff

Art Unit: 2164

members assigned to the property. {Pg 52 “Security” shows were staff accompaniment is required}

16. **Claim 7** is rejected for the following reasons:

7. The database system of claim 1 further comprising an inspections table containing data relating to inspections of the property. {Pg 35 “pollution” or “geology”}

17. **Claim 8** is rejected for the following reasons:

8. The database system of claim 1 wherein the sites in the site table comprise geographic areas.
{Pg 51 “facilities” or “land use”}

18. **Claim 9** is rejected for the following reasons:

9. The database system of claim 1 wherein the sites in the site table comprise living units. {Page 51 “vegetation” and under landuse “BufferPlanting”}

19. **Claim 10** is rejected for the following reasons:

10. The database system of claim 1 wherein the sites in the site table comprise maintenance areas. {PG 52 “ShedHSe#1” “SheHse#2”}

20. **Claim 11** is rejected for the following reasons:

11. The database system of claim 1 wherein the sites in the site table comprise program areas.

{Pg 52 “LandUse” “Conservation” “HorticulteralFieldCorps”}

21. **Claim 12** is rejected for the following reasons:

12. The database system of claim 1 wherein the entities in the entity table are selected from the group comprising structures {Bldg}, fences, waterlines {PG 36“Utilities”}, swimming pools, leach fields, electrical poles {PG 36“Utilities”}, parking lots, and latrines.

22. **Claim 13** is rejected for the following reasons:

13. The database system of claim 1 further comprising at least one maintenance table containing data relating to maintenance for entities in the entity table. {Pg 53 “FutureDevelp” “Renovate as market” shows maintenance of Buildings}

23. **Claim 14** is rejected for the following reasons:

14. The database system of claim 1 further comprising an environmental management table containing data relating to environmental management of the property. {Pg 35 “Pollution” “Vegetation” “Geology” “Hydrology”}

24. **Claim 15** is rejected for the following reasons:

See claims 1 and 13 rejections.

25. **Claim 16** is rejected for the following reasons:

See claim 1 rejection.

26. **Claim 17** is rejected for the following reasons:

See claim 2 rejection.

27. **Claim 18** is rejected for the following reasons:

See claim 3 rejection.

28. **Claim 19** is rejected for the following reasons:

See claim 4 rejection.

29. **Claim 20** is rejected for the following reasons:

See claim 5 rejection.

30. **Claim 21** is rejected for the following reasons:

See claim 6 rejection.

31. **Claim 22** is rejected for the following reasons:

See claim 7 rejection.

32. **Claim 23** is rejected for the following reasons:

See claim 12 rejection.

Art Unit: 2164

33. **Claim 24** is rejected for the following reasons:

See claim 14 rejection.

Conclusion

34. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 5359526 A Published 19941025 "Terrain and culture generation system and method", Whittington; Reed C. et al.

US 6097995 A Published 20000801 "Hazardous materials and waste reduction management system", Tipton; David K. et al.

US 20030208493 A1 US-PGPUB 20031106 "Object relational database management system", Hall, Bradley S. et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cory C. Bell whose telephone number is (571) 272 2736. The examiner can normally be reached on m-f 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on (571) 272 4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



SAM RIMELL
PRIMARY EXAMINER